

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

8 UNITED STATES OF AMERICA,

9 NO. CR07-343-JLR

10 v. Plaintiff,

11 NIVALDO RIASCOS,

12 Defendant.

13

14 Offenses charged:

15 Count 1: Conspiracy to Distribute Cocaine, in violation of 21 U.S.C. §§

16 841(a)(1), 841(b)(1)(A) and 846

17 Count 2: Conspiracy to Import Cocaine, in violation of 21 U.S.C., §§

18 952(a), 960(b)(1)(B)(l), and 963

19 Date of Detention Hearing: February 14, 2011

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and

21 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

22 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

23 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that

24 defendant is a flight risk and a danger to the community based on the nature of

25 the pending charges. Application of the presumption is appropriate in this case.

26 2. Defendant is a citizen of Columbia.

DETENTION ORDER
18 U.S.C. § 3142(i)
Page 1

- 1 3. An immigration detainer has been placed on defendant by the United States
- 2 Immigration and Customs Enforcement.
- 3 4. Defendant has stipulated to detention, but reserves the right to contest his
- 4 continued detention if there is a change in circumstances.
- 5 5. There are no conditions or combination of conditions other than detention that
- 6 will reasonably assure the appearance of defendant as required or ensure the
- 7 safety of the community.

8 IT IS THEREFORE ORDERED:

- 9 (1) Defendant shall be detained and shall be committed to the custody of the
- 10 Attorney General for confinement in a correction facility separate, to the extent
- 11 practicable, from persons awaiting or serving sentences or being held in custody
- 12 pending appeal;
- 13 (2) Defendant shall be afforded reasonable opportunity for private consultation with
- 14 counsel;
- 15 (3) On order of a court of the United States or on request of an attorney for the
- 16 government, the person in charge of the corrections facility in which defendant
- 17 is confined shall deliver the defendant to a United States Marshal for the
- 18 purpose of an appearance in connection with a court proceeding; and
- 19 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
- 20 counsel for the defendant, to the United States Marshal, and to the United States
- 21 Pretrial Services Officer.

22 DATED this 14th day of February, 2011.

23 
24

25 JAMES P. DONOHUE
26 United States Magistrate Judge